

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS – FORT WORTH DIVISION**

MEOCHI SCOTT

Plaintiff

v.

SHARKNINJA OPERATING LLC and
EP MIDCO, LLC

Defendants

Case No. _____

JURY TRIAL DEMANDED

DEFENDANTS’ NOTICE OF REMOVAL

SharkNinja Operating LLC and EP Midco, LLC (“Defendants”) hereby remove this product-liability action filed on May 11, 2021 from the 342nd District Court, Tarrant County to this Court on the basis of diversity jurisdiction under 28 U.S.C. §§ 1332, 1441, and 1446.

GROUND FOR REMOVAL – DIVERSITY JURISDICTION

As to amount in controversy, Plaintiff’s state-court complaint (attached as **Ex. A**) states that “Plaintiff seeks monetary relief over \$250,000 but not more than \$1,000,000.” As to complete diversity, Plaintiff is a citizen of Texas (*see* Ex. A at 2), and Defendants are not citizens of Texas. SharkNinja Operating LLC is a Delaware limited liability company with its principal place of business in Massachusetts, whose sole member is EP Midco, LLC, a Delaware limited liability company with its principal place of business in Massachusetts, whose sole member is Global Appliance, LLC, a Delaware limited liability company with its principal place of business in Massachusetts, whose sole member is Global Appliance UK Holdco Ltd., a corporation organized under the laws of the United Kingdom with its principal place of business located in England.

PROCEDURAL REQUIREMENTS FOR REMOVAL

The procedural requirements for removal are met. This Court is the proper venue for an action removed from Tarrant County. This notice of removal is timely because it was filed within 30 days of May 14, 2021,¹ the date SharkNinja was served with Plaintiff's state-court complaint, which is the first pleading from which it could be ascertained that this case is removable. EP Midco, LLC was served on May 14, 2021, and joins this removal.²

As required by Local Rule 81.1, Defendants have attached to this notice of removal the following:

- Civil cover sheet
- Supplemental civil cover sheet
- A copy of the docket sheet in the state court action (attached as **Ex. D**)
- All documents filed in state court, indexed here:
 - 5/11/21 – Plaintiff's Original Petition (attached as **Ex. A**)
 - 5/11/21 – Citation issued on SharkNinja Operating LLC (attached as **Ex. E**)
 - 5/11/21 – Citation issued on EP Midco, LLC (attached as **Ex. F**)
 - 6/2/21 – Return of service - SharkNinja Operating LLC (attached as **Ex. G**)
 - 6/2/21 – Return of service - EP Midco, LLC (attached as **Ex. H**)
- Separately signed Certificates of Interested Persons (attached as **Ex. I** and **Ex. J**)

After filing this notice of removal, Defendants will promptly give written notice thereof to all adverse parties and shall file a copy of the notice with the clerk of the 342nd District Court, Tarrant County, pursuant to 28 U.S.C. § 1446(d).

¹ See 5/14/21 Service of Process on SharkNinja Operating LLC Transmittal (attached as **Ex. B**)

² See 5/14/21 Service of Process on EP Midco, LLC Transmittal (attached as **Ex. C**)

June 4, 2021

Respectfully submitted,

SHOOK, HARDY & BACON L.L.P.

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Attorney for Defendants

SharkNinja Operating LLC and

EP Midco, LLC

CERTIFICATE OF SERVICE

I hereby certify that on this the 4th day of June, 2021, a true and correct copy of the foregoing was electronically filed with the Clerk of the Court using the e-filing system and was separately served via (1) certified mail, return receipt requested, and (2) electronic mail on the Plaintiff's counsel, addressed as follows:

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/s/ M. Scott Michelman

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